

Reference is also made to the disclosure bridging columns 7 and 8 of U.S. '008 wherein chelating ligands of a base DTPA structure are described. See, for example, the two formulae set forth at the top of column 8. The second formula exhibits no pendant groups off the base structure whereas the first formula exhibits four pendant groups R₁-R₄ off the base structure. These pendant groups are selected from either C₆₋₁₀ aryl or C₁₋₅ aliphatic groups.

The broad disclosure with respect to hydrophobic binding at column 3 in U.S. '008 refers to a large generic class. Such a broad generic disclosure does not, in and of itself, render obvious each and every embodiment encompassed therein. See, for example, In re Jones, 21 U.S.P.Q.2d 1941 (C.A.F.C. 1992); and In re Baird, 29 U.S.P.Q.2d 1550 (Fed. Cir. 1994).

Furthermore, regarding the specifically disclosed chelating ligands bridging columns 7 and 8, the pendant groups off the carbon atoms of the base chain, if present, are either C₆₋₁₀ aryl or C₁₋₅ aliphatic groups. Thus, the four pendant groups are either all aryl groups, all aliphatic groups, or a combination of aryl and aliphatic groups. This disclosure does not provide any suggestion with respect to the chelating ligand exhibiting a single pendant phenyl group off the carbon atoms of the base structure.

In view of the above remarks, it is respectfully submitted that U.S. '447, taken alone or in combination with U.S. '008 fails to render obvious applicants' claimed invention as recited in claims 41-43.

Respectfully submitted,



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Filed: September 19, 1995

BPH:kdp117:sch1412.sa1